

FILED

APR - 3 2008

UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re:) Case No. 07-30279-C-7
)
 GLOBAL WINE GROUP,)
)
)
 Debtor(s).)
)

MEMORANDUM DECISION ON ORDER FOR RELIEF

The parties having stipulated that relief may be ordered in this involuntary case, relief will be ordered in the form in which it was filed, that is, as a chapter 7 case. While the parties agreed that the case would become a chapter 11 case with the debtor in possession, there was some uncertainty at the time of the hearing regarding the correct administrative manner for reaching that result. Although the court indicated that it would order relief under chapter 11, the court did not take into account that the chapter 11 filing fee had not been paid and that the only case in front of the bankruptcy court is a petition for relief under chapter 7. Accordingly, relief will be entered under chapter 7. It will be up to the debtor to convert the case to chapter 11 and pay the requisite filing fee for chapter 11.

An appropriate order will issue.

Dated: April 3, 2008.

UNITED STATES BANKRUPTCY JUDGE

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CERTIFICATE OF SERVICE

On the date indicated below, I served a true and correct copy(ies) of the attached document by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed and by depositing said envelope in the United States mail or by placing said copy(ies) into an interoffice delivery receptacle located in the Clerk's Office.

Clifford W. Stevens
Neumiller & Beardslee
P.O. Box 20
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W. Austin Cooper
2151 River Plaza Drive, #195
Sacramento, CA 95833

Dated: 4/4/08


DEPUTY CLERK